

PT:

Ginn Title Services, LLC (LMA)  
1 Hammock Beach Parkway  
Palm Coast, FL 32137

This instrument prepared by  
and return to:

Baker & Hostetler LLP  
200 South Orange Avenue  
Suite 2300  
Orlando, Florida 32801  
Attention: William C. Guthrie, Esq.

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**FOURTH AMENDMENT TO SECOND AMENDED AND RESTATED  
DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS  
FOR TESORO**

THIS FOURTH AMENDMENT TO SECOND AMENDED AND RESTATED DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS FOR TESORO (this "Fourth Amendment") is made and entered into this <sup>14<sup>th</sup></sup> day of ~~February~~ <sup>March</sup>, 2006, by GINN-LA ST. LUCIE LTD., LLLP, a Georgia limited liability limited partnership ("Declarant") and is joined in by TESORO PROPERTY OWNERS ASSOCIATION, INC., a Florida nonprofit corporation ("POA"). Capitalized terms used in this Fourth Amendment shall have the same meanings ascribed to such terms in the Master Declaration (as defined below) unless the context otherwise requires and states.

**RECITALS**

WHEREAS, Declarant and POA previously executed that certain Second Amended and Restated Declaration of Covenants, Restrictions and Easements for Tesoro, recorded September 19, 2003 in Official Records Book 1803, Page 898; as amended by that Supplemental Declaration of Covenants, Restrictions and Easements for Tesoro, recorded November 24, 2003, in Official Records, Book 1849, Page 1691, as further amended by that First Amendment to Second Amended and Restated Declaration of Covenants, Restrictions and Easements for Tesoro, recorded October 12, 2004, in Official Records, Book 2075, Page 1983, as further amended by that Second Amendment and Supplemental Declaration to Second Amended and Restated Declaration of Covenants, Restrictions and Easements for Tesoro, recorded September 28, 2005, in Official Records, Book 2374, Page 2508, as further amended by that Third Amendment and Supplemental Declaration to Second Amended and Restated Declaration of Covenants, Restrictions and Easements for Tesoro, recorded November 1, 2005, in Official Records, Book 2402, Page 1717, all of the Public Records of St. Lucie County, Florida, and as the same may be further amended from time to time (collectively, the "Master Declaration");

WHEREAS, the Master Declaration relates to a residential community called "Tesoro";

WHEREAS, Declarant desires to further amend the Master Declaration by providing additional terms and conditions associated with ownership of a Lot;

WHEREAS, pursuant Article XII, Section 8 to the Master Declaration, Declarant may amend the Master Declaration; and

WHEREAS, Declarant desires to further amend the Master Declaration by imposing additional covenants, restrictions and easements on the property subjected to the Master Declaration.

For any questions contact:  
Bobby Barfield, Broker  
772-260-9855  
Bobbybarfield@yahoo.com

NOW, THEREFORE, Declarant hereby amends the Master Declaration as follows:

1. Recitals. The recitals set forth above are true and correct and incorporated herein.
2. Addition to Article IX. Article IX is hereby amended by adding to the end thereof the following:

Section 24 Garage Sales, Rummage Sales, Auctions or Similar Activities. Garage sales, rummage sales or similar sales shall be prohibited. Auctions of any kind whatsoever, including auctions for the sale of any personal property, real property, Lot, Home, or other property shall also be prohibited.

3. Declaration Remains in Effect. Except as expressly modified in this Fourth Amendment, the Master Declaration shall remain in full force and effect.

4. Severability. If any clause or provision of this Fourth Amendment, or the application of any such clause or provision to any person or circumstance, shall be held illegal, invalid or unenforceable under applicable present or future Laws, the remainder of this Fourth Amendment shall not be affected thereby. Also, if any clause or provision of this Fourth Amendment is illegal, invalid or unenforceable under any applicable present or future Laws, then such clause or provision shall be deemed inoperative to the extent that it may conflict therewith and shall be deemed modified to conform with such Law. Any clause or provision hereof that may prove illegal, invalid or unenforceable under any applicable present or future Laws shall not affect the legality, validity or enforceability of any other clause or provision hereof.

5. Captions. The Captions preceding the various provisions of this Fourth Amendment have been inserted solely for convenience of reference and shall not be used in construing the Master Declaration.

6. Execution. By its execution, Declarant certifies that this Fourth Amendment has been duly approved by Declarant.

7. Recordation. This Fourth Amendment shall take effect upon recordation in the Official Records of St. Lucie County.

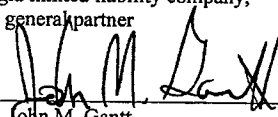
IN WITNESS WHEREOF, Declarant has caused these presents to be executed in its name and its seal to be affixed hereto as of the day and year first written above.

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772-260-9855  
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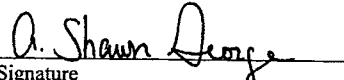
**DECLARANT:**

GINN-LA ST. LUCIE LTD., LLLP,  
a Georgia limited liability limited partnership


By: GINN-ST. LUCIE GP, LLC,  
a Georgia limited liability company,  
its sole general partner

By:   
John M. Gantt  
Executive Vice President

Witness:

  
Signature

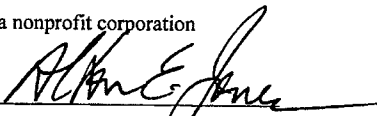
A. Shawn George  
Printed Name

  
Signature

Laura Makepeace  
Printed Name

**POA:**


TESORO PROPERTY OWNERS ASSOCIATION,  
INC.,  
a Florida nonprofit corporation

By: 

Printed Name: Alton E. Jones

Its: President

Witness:

  
Signature

A. Shawn George  
Printed Name

  
Signature

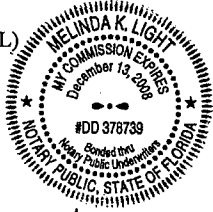
Laura Makepeace  
Printed Name

For any questions contact:  
Bobby Barfield, Broker  
772-260-9855  
Bobbybarfield@yahoo.com

STATE OF Florida )  
COUNTY OF Flagler )ss.

The foregoing instrument was acknowledged and executed before me this 14<sup>th</sup> day of March 2006, by John M. Gantt as Executive Vice President of GINN-ST. LUCIE GP, LLC, a Georgia limited liability company, as the sole general partner of GINN-LA ST. LUCIE LTD., LLLP, a Georgia limited liability limited partnership, on behalf of the partnership. He is personally known to me or has produced \_\_\_\_\_ as identification.

(NOTARY SEAL)



Melinda K. Light  
Notary Signature  
Melinda K. Light  
Printed Name of Notary  
NOTARY PUBLIC  
Commission No. DD 378739

STATE OF Florida )  
COUNTY OF Flagler )ss.

The foregoing instrument was acknowledged and executed before me this 14<sup>th</sup> day of March, 2006, by Allen E. Jones, as President of TESORO PROPERTY OWNERS ASSOCIATION, INC., a Florida nonprofit corporation. He ~~she~~ is personally known to me or has produced \_\_\_\_\_ as identification.

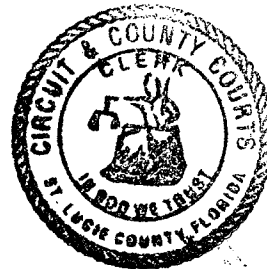
(NOTARY SEAL)



Melinda K. Light  
Notary Signature  
Melinda K. Light  
Printed Name of Notary  
NOTARY PUBLIC  
Commission No. DD 378739

STATE OF FLORIDA  
ST. LUCIE COUNTY

THIS TO CERTIFY THAT THIS IS A  
TRUE AND CORRECT COPY OF THE  
ORIGINAL.  
ST. LUCIE COUNTY  
CLERK OF CIRCUIT COURT



For any questions contact:  
Bobby Barfield, Broker  
772-260-9855  
Bobbybarfield@yahoo.com

By: Darush Bar  
Date: 3/29/06

RF: Ginn Title Services, LLC (LMM)  
1 Hammock Beach Parkway  
Palm Coast, FL 32137

This instrument prepared by  
and return to:

Baker & Hostetler LLP  
200 South Orange Avenue  
Suite 2300  
Orlando, Florida 32801  
Attention: William C. Guthrie, Esq.

**FIFTH AMENDMENT TO SECOND AMENDED AND RESTATED  
DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS  
FOR TESORO**

THIS FIFTH AMENDMENT TO SECOND AMENDED AND RESTATED DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS FOR TESORO (this "Fifth Amendment") is made and entered into this 18<sup>th</sup> day of March, 2006, by GINN-LA ST. LUCIE LTD., LLLP, a Georgia limited liability limited partnership ("Declarant"). Capitalized terms used in this Fifth Amendment shall have the same meanings ascribed to such terms in the Master Declaration (as defined below) unless the context otherwise requires and states.

**RECITALS**

**WHEREAS**, Declarant and Tesoro Property Owners Association, Inc., a Florida nonprofit corporation ("POA") previously executed that certain Second Amended and Restated Declaration of Covenants, Restrictions and Easements for Tesoro, recorded September 19, 2003 in Official Records Book 1803, Page 898, as amended by that Supplemental Declaration of Covenants, Restrictions and Easements for Tesoro, recorded November 24, 2003, in Official Records, Book 1849, Page 1691, as further amended by that First Amendment to Second Amended and Restated Declaration of Covenants, Restrictions and Easements for Tesoro, recorded October 12, 2004, in Official Records, Book 2075, Page 1983, as further amended by that Second Amendment and Supplemental Declaration to Second Amended and Restated Declaration of Covenants, Restrictions and Easements for Tesoro, recorded September 28, 2005, in Official Records, Book 2374, Page 2508, as further amended by that Third Amendment and Supplemental Declaration to Second Amended and Restated Declaration of Covenants, Restrictions and Easements for Tesoro, recorded November 1, 2005, in Official Records, Book 2402, Page 1717, as further amended by that Fourth Amendment and Supplemental Declaration to Second Amended and Restated Declaration of Covenants, Restrictions and Easements for Tesoro, recorded \_\_\_\_\_, 2006, in Official Records, Book \_\_\_\_\_, Page \_\_\_\_\_, all of the Public Records of St. Lucie County, Florida, and as the same may be further amended from time to time (collectively, the "Master Declaration");

**WHEREAS**, the Master Declaration relates to a residential community called "Tesoro";

**WHEREAS**, pursuant to Article II, Section 2 and Article III, Section 1 of the Master Declaration, Declarant may add Additional Property as Declarant may determine and subject such Additional Property to the provisions, terms and conditions of the Master Declaration;

**WHEREAS**, Declarant desires to add Additional Property as more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Added Property") and declare such

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Bobbybarfield@yahoo.com

Added Property as Committed Property and subject it to the provisions, terms and conditions of the Master Declaration and this Fifth Amendment;

**NOW, THEREFORE**, Declarant hereby amends the Master Declaration as follows:

1. Recitals. The recitals set forth above are true and correct and incorporated herein.
2. Description of Added Property. Declarant hereby declares that the Added Property shall be included as part of the Committed Property and is hereby subject to the provisions, terms and conditions of the Master Declaration. The Added Property may be sold, transferred, used, conveyed, occupied, mortgaged, or otherwise encumbered pursuant to the provisions, terms and conditions of the Master Declaration, which shall run with title to such Added Property, and to Declarant's heirs, legal representatives, successors and assigns.
3. Declaration Remains in Effect. Except as expressly modified in this Fifth Amendment, the Master Declaration, as amended, shall remain in full force and effect.
4. Severability. If any clause or provision of this Fifth Amendment, or the application of any such clause or provision to any person or circumstance, shall be held illegal, invalid or unenforceable under applicable present or future Laws, the remainder of this Fifth Amendment shall not be affected thereby. Also, if any clause or provision of this Fifth Amendment is illegal, invalid or unenforceable under any applicable present or future Laws, then such clause or provision shall be deemed inoperative to the extent that it may conflict therewith and shall be deemed modified to conform with such Law. Any clause or provision hereof that may prove illegal, invalid or unenforceable under any applicable present or future Laws shall not affect the legality, validity or enforceability of any other clause or provision hereof.
5. Captions. The Captions preceding the various provisions of this Fifth Amendment have been inserted solely for convenience of reference and shall not be used in construing the Master Declaration.
6. Execution. By its execution, Declarant certifies that this Fifth Amendment has been duly approved by Declarant.
7. Recordation. This Fifth Amendment shall take effect upon recordation in the Official Records of St. Lucie County, Florida.

**Signature Page to Follow**

For any questions contact:  
Bobby Barfield, Broker  
772-260-9855  
Bobbybarfield@yahoo.com

IN WITNESS WHEREOF, Declarant has caused these presents to be executed in its name and its seal to be affixed hereto as of the day and year first written above.

**DECLARANT**

GINN-LA ST. LUCIE LTD., LLLP,  
a Georgia limited liability limited partnership

By: GINN-ST. LUCIE GP, LLC,  
a Georgia limited liability company,  
its sole general partner

Witness:

A. Shawn George  
Signature

A. Shawn George  
Printed Name

Christy George  
Signature

Christy George  
Printed Name

By: Robert F. Masters  
~~John M. Gantt~~ Robert F. Masters  
Executive Vice President

STATE OF Florida )  
COUNTY OF Flagler )ss.

The foregoing instrument was acknowledged and executed before me this 16<sup>th</sup> day of March, 2006, by ~~John M. Gantt~~ Robert F. Masters as Executive Vice President of GINN-ST. LUCIE GP, LLC, a Georgia limited liability company, as the sole general partner of GINN-LA ST. LUCIE LTD., LLLP, a Georgia limited liability limited partnership, on behalf of the partnership. He is personally known to me or has produced \_\_\_\_\_ as identification.

(NOTARY SEAL)

**EILEEN P. COLEMAN**  
Notary Public, State of Florida  
My comm. exp. Apr. 10, 2007  
Comm. No. DD 202478

Eileen P. Coleman  
Notary Signature  
Eileen P. Coleman  
Printed Name of Notary  
NOTARY PUBLIC  
Commission No. DD202478

For any questions contact:  
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772-260-9855  
Bobbybarfield@yahoo.com

EXHIBIT A

ADDED PROPERTY

1. All lands lying within Tesoro Plat No. 22, recorded January 6, 2006, in Plat Book 51, Pages 31 through 35, inclusive, of the Public Records of St. Lucie County, Florida.
2. All lands lying within Tesoro Plat No. 23, recorded January 6, 2006, in Plat Book 51, Pages 36 through 38, inclusive, of the Public Records of St. Lucie County, Florida.

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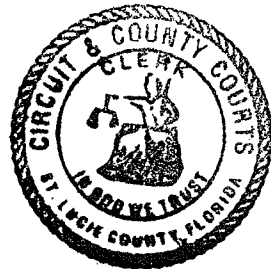
STATE OF FLORIDA  
ST. LUCIE COUNTY

THIS TO CERTIFY THAT THIS IS A  
TRUE AND CORRECT COPY OF THE  
ORIGINAL.

ST. LUCIE COUNTY  
CLERK OF CIRCUIT COURT

By: *Bobby Barfield*

Date: 3/29/06



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